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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,823	05/11/2001	David Long	50277-1561	6447
29989	7590	04/11/2006	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			ALI, SYED J	
			ART UNIT	PAPER NUMBER
			2195	

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/853,823	Applicant(s) LONG ET AL.	
	Examiner Syed J. Ali	Art Unit 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 27 January 2006.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 11/21/05; 2/6/06; 3/15/06

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 27, 2006 has been entered. Claims 1-20 are presented for examination.

2. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuller (USPN 5,870,757).**

5. As per claim 1, Fuller teaches the invention as claimed, including a method for performing operations in an electronic file system (col. 1 lines 18-25), the method comprising the steps of:

receiving a command to perform one or more file system operations, wherein said command expressly identifies said one or more file system operations (col. 3 lines 40-43);

in response to said command, translating a plurality of operations including said one or more file system operations into database commands (col. 2 lines 7-55); and

a database server executing said database commands (col. 4 line 64 - col. 5 line 15), wherein the step of executing includes:

performing a first subset of said database commands that corresponds to a first subset of said plurality of operations as part of a first transaction (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45); and

performing a second subset of said database commands that corresponds to a second subset of said plurality of operations as part of a second transaction that is nested in said first transaction (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45);

wherein each of said one or more file system operations is included in one of the first subset of said plurality of operations and the second subset of said plurality of operations (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45).

6. As per claim 2, Fuller teaches the invention as claimed, including the method of claim 1 wherein the step of executing further includes the step of performing a third subset of said database commands that corresponds to a third subset of said plurality of operations as part of a third transaction that is nested in said second transaction (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45).

7. As per claim 3, Fuller teaches the invention as claimed, including the method of claim 1 wherein the second subset of operations are operations that are triggered by an operation that belongs to said first subset of operations (col. 11 lines 40-41).

8. As per claim 4, Fuller teaches the invention as claimed, including the method of claim 1 wherein:

the step of receiving the command is performed by an entity that resides external to said database server (col. 2 lines 30-38); and

the method further comprises said entity sending said database commands to said database server (col. 2 lines 30-38).

9. As per claim 5, Fuller teaches the invention as claimed, including the method of claim 4 wherein the step of performing said second subset includes:

the entity sending to the database server a savepoint command for the database server to establish a savepoint (col. 2 lines 39-55); and

after the entity sends to the database server a savepoint command, the entity sending to the database server said second subset of said database commands for performing said second subset of said plurality of operations (col. 2 lines 39-55; col. 11 lines 40-41).

10. As per claim 6, Fuller teaches the invention as claimed, including the method of claim 5 further comprising the entity responding to a failure of an operation in said second subset of said

plurality of operations by sending to the database server a command to roll back to said savepoint (col. 2 lines 47-49).

11. As per claim 7, Fuller teaches the invention as claimed, including the method of claim 4 further comprising the entity maintaining a transaction list by performing the steps of:

adding an entry to the tail of the transaction list when the entity sends a savepoint command to the database server to start a nested transaction (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45); and

when an operation fails, determining the savepoint to roll back to based on the entry at the tail of the transaction list (col. 2 lines 47-49); and

removing the entry from the tail of the transaction list when the nested transaction fails or completes successfully (col. 1 line 51 - col. 2 line 5; col. 11 lines 37-45).

12. As per claim 8, Fuller teaches the invention as claimed, including the method of claim 3 wherein:

the one or more file system operations include an operation on a folder (col. 1 lines 18-19; col. 2 lines 7-17, all file system operations are supported, wherein a file system inherently includes folders in its conventional hierarchical organization); and

the second subset of operations includes operations associated with one or more documents within the folder (col. 1 lines 18-19; col. 2 lines 7-17).

Art Unit: 2195

13. As per claim 9, Fuller teaches the invention as claimed, including the method of claim 4 further comprising the steps of:

the entity determining whether all operations that are to be performed as a nested transaction are read only (col. 7 lines 21-29; Fig. 10);

if all operations that are to be performed as the nested transaction are read only, then sending commands to perform the operations without first sending a command to establish a savepoint (col. 7 lines 23-26, if the operation is a read, there is no need to save the state of the database and the operation is simply passed to the master device unless there are potentially conflicting operations); and

if all operations that are to be performed as the nested transaction are not read only, then sending a command to establish a savepoint prior to sending commands to perform the operations (col. 2 lines 39-55).

14. As per claim 20, Fuller teaches the invention as claimed, including the method of claim 1, wherein said one or more file system operations include one of an operation for copying a file and an operation for copying a folder (col. 1 lines 18-19; col. 2 lines 7-17; see also claim 8).

15. As per claims 10-19, Fuller teaches the invention as claimed, including a computer-readable medium carrying instructions for performing the method of claims 1-9 and 20 (Fig. 1).

Response to Arguments


16. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new grounds of rejection.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J. Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Syed Ali
April 5, 2006


SUPERVISORY PATENT EXAMINER